

FRANCIS KILBURN.

FEBRUARY 11, 1895.—Committed to the Committee of the Whole House and ordered to be printed.

Mr. BELTZHOVER, from the Committee on War Claims, submitted the following

REPORT:

[To accompany H. R. 8808.]

The Committee on War Claims, to whom was referred the bill (H. R. 8808) for the relief of Francis Kilburn, have had the same under consideration, and report as follows:

This claim was before the committee for consideration at the first session of the Forty-seventh Congress, was then fully investigated, and a favorable report made thereon.

Upon a reexamination of the claim your committee have reached the same favorable conclusion, and as the facts and conclusions of law are fully set forth in their former report, it is again adopted as the report of your committee in the premises, as follows:

[House Report No. 1763, Forty-seventh Congress, first session.]

It appears from the records of the Adjutant-General's Office that claimant was enrolled on the 15th day of May, 1861, in Company K, Fifth Regiment of Pennsylvania Reserve Volunteers, to serve three years or during the war, and was mustered into service as a private on the 21st day of June, 1861; detailed February 18, 1862, on Western gunboat service by order of General McCall; that he was honorably discharged from the service of the United States as a private of Company K, Fifth Regiment Pennsylvania Reserve Volunteers, at Cairo, Ill., on the 17th day of November, 1862, by reason of injuries and disability contracted in the line of duty; that he asks additional bounty of \$100 under the act of July 28, 1866.

It appears from the proof submitted that his claim was rejected by the Second Auditor of the Treasury on the ground that soldiers transferred to the Navy are not entitled to bounty under the act of July 28, 1866.

The act of July 28, 1866, section 12, provides—

"That each and every soldier who enlisted into the Army of the United States after the 19th day of April, 1861, for a period of not less than three years, and having served the term of his enlistment, has been honorably discharged, and who has received, or is entitled to receive, from the United States, under existing laws, a bounty of \$100, and no more, and any such soldier enlisted for not less than three years who has been honorably discharged on account of wounds received in the line of duty, and the widow, minor children, or parents, in the order named, of any such soldier who died in the service of the United States, or of disease or wounds contracted while in the service and in the line of duty, shall be paid the additional bounty of \$100 hereby authorized."

The proof shows that the claimant was not transferred to the Navy, but was detailed for temporary duty with the Mississippi River flotilla. The statement of the claimant's service shows that he fulfilled all the requirements of the law, and it is difficult to find any reason why he is not entitled to the additional bounty of \$100.

The committee are of opinion that it would not comport with the dignity of the Government thus to break faith with the gallant men who in that hour of gloom stood forth to peril their lives for their country.

Under the circumstances the committee have deemed it just to report the accompanying bill for the claimant's relief, and recommend its passage.

Your committee report back the bill and recommend its passage.

The committee attach to their report the acts of Congress concerning bounties and other information upon that subject, and ask that it be printed as an appendix to the report.

APPENDIX.

ACT OF CONGRESS CONCERNING EQUALIZATION OF BOUNTIES.

[12 Stat. L., p. 269.]

[Extract from an act to authorize the employment of volunteers to aid in enforcing the laws and protecting public property.]

SEC. 5. *And be it further enacted*, That the officers, noncommissioned officers, and privates, organized as above set forth, shall, in all respects, be placed on the footing, as to pay and allowances, of similar corps of the Regular Army: *Provided*, That the allowances of noncommissioned officers and privates for clothing, when not furnished in kind, shall be three dollars and fifty cents per month, and that each company officer, noncommissioned officer, private, musician, and artificer of cavalry shall furnish his own horse and horse equipments, and shall receive forty cents per day for their use and risk, except that in case the horse shall become disabled, or shall die, the allowance shall cease until the disability be removed or another horse be supplied. Every volunteer noncommissioned officer, private, musician, and artificer, who enters the service of the United States under this act shall be paid at the rate of fifty cents in lieu of subsistence, and if a cavalry volunteer, twenty-five cents additional, in lieu of forage, for every twenty miles of travel from his place of enrolment to the place of muster—the distance to be measured by the shortest usually travelled route; and when honorably discharged an allowance at the same rate, from the place of his discharge to his place of enrolment, and, in addition thereto, if he shall have served for a period of two years, or during the war, if sooner ended, the sum of one hundred dollars: *Provided*, That such of the companies of cavalry herein provided for, as may require it, may be furnished with horses and horse equipments in the same manner as in the United States Army.

SEC. 6. *And be it further enacted*, That any volunteer who may be received into the service of the United States under this act, and who may be wounded or otherwise disabled in the service, shall be entitled to the benefits which have been or may be conferred on persons disabled in the regular service, and the widow, if there be one, and if not, the legal heirs of such as die, or may be killed in service, in addition to all arrears of pay and allowances, shall receive the sum of one hundred dollars.

Approved July 22, 1861.

[12 Stat. L., p. 280.]

[Extract from an act to increase the present military establishment of the United States.]

SEC. 5. *And be it further enacted*, That the term of enlistments made and to be made in the years eighteen hundred and sixty-one and eighteen hundred and sixty-two, in the Regular Army, including the force authorized by this act, shall be for the period of three years, and those to be made after January one, eighteen hundred and sixty-three, shall be for the term of five years, as at present authorized, and that the men enlisted in the regular forces, after the first day of July, eighteen hundred and sixty-one, shall be entitled to the same bounties, in every respect, as those allowed or to be allowed to the men of the volunteer forces.

Approved July 29, 1861.

[12 Stat. L., p. 509.]

[Extract from "An act making appropriations for the support of the Army for the year ending the 30th day of June, 1863, and additional appropriations for the year ending 30th of June, 1862, and for other purposes."]

SEC. 6. *And be it further enacted*, That section five of the act "to authorize the employment of volunteers to aid in enforcing the laws and protecting public property," approved July twenty-second, eighteen hundred and sixty-one, and section five of the act "to increase the present military establishment of the United States," approved July twenty-nine, eighteen hundred and sixty-one, shall be so construed as to allow twenty-five dollars of the bounty of one hundred dollars therein provided to be paid immediately after enlistment to every soldier of the regular and volunteer forces hereafter enlisted during the continuance of the existing war, and the sum of seven millions five hundred thousand dollars is hereby appropriated for such payment.

Approved July 5, 1862.

[12 Stat. L., p. 535.]

AN ACT making appropriations for the payment of the bounty authorized by the sixth section of an act entitled "An act to authorize the employment of volunteers to aid in enforcing the laws and protecting public property," approved July twenty-second, eighteen hundred and sixty-one, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated, out of any money in the Treasury not otherwise appropriated, for the objects hereinafter expressed, viz:

For payment of the bounty to widows, children, fathers, mothers, brothers, and sisters of such volunteers as may have died or been killed, or may die or be killed, in service, authorized by the sixth section of an act entitled "An act to authorize the employment of volunteers to aid in enforcing the laws and protecting public property," approved July twenty-second, eighteen hundred and sixty-one, five millions of dollars, or so much thereof as may be found necessary: *Provided,* That said bounty shall be paid to the following persons, and in the order following, and to no other person, to wit, first, to the widow of such deceased soldier, if there be one; second, if there be no widow, then to the children of such deceased soldier, share and share alike; third, if such soldier left neither a widow, or child, or children, then, in that case, such bounty shall be paid to the following persons, provided they be residents of the United States, to wit, first, to his father; or if he shall not be living, or has abandoned the support of his family, then to the mother of such soldier; and if there be neither father nor mother as aforesaid, then such bounty shall be paid to the brothers and sisters of the deceased soldier, resident as aforesaid.

For compensation of twenty additional clerks, hereby authorized to be employed in the office of the Commissioner of Pensions, to wit: For fifteen clerks of the first class, eighteen thousand dollars: for five clerks of the second class, seven thousand dollars.

SEC. 2. *And be it further enacted,* That the sum of three thousand dollars, or so much thereof as may be found necessary, be, and the same is hereby, appropriated for the expense of the committee on disloyal employees of the Government, appointed by resolution of the House of Representatives July eight, eighteen hundred and sixty-one.

SEC. 3. *And be it further enacted,* That that part of the sixth section of the act "to authorize the employment of volunteers to aid in enforcing the laws and protecting public property," approved July twenty-second, eighteen hundred and sixty-one, which secured to the widow, if there be one, if not, the legal heirs of such volunteers as die or may be killed in service, in addition to all arrears of pay and allowances, a bounty of one hundred dollars, shall be held to apply to those persons who have enlisted in the regular forces since the first day of July, eighteen hundred and sixty-one, or shall enlist in the regular forces during the year eighteen hundred and sixty-two, and be paid to the heirs named in this act; and that the bounties herein provided for shall be paid out of any money appropriated for bounty to volunteers.

Approved July 11, 1862.

[12 Stat. L., p. 569.]

[Extract from an act to grant pensions.]

SEC. 10. *And be it further enacted,* That the pilots, engineers, sailors, and crews upon the gunboats and war vessels of the United States, who have not been regularly mustered into the service of the United States, shall be entitled to the same bounty allowed to persons of corresponding rank in the naval service, provided they continue in service to the close of the present war; and all persons serving as aforesaid, who have been or may be wounded or incapacitated for service, shall be entitled to receive for such disability the pension allowed by the provisions of this act to those of like rank, and each and every such person shall receive pay according to corresponding rank in the naval service: *Provided,* That no person receiving pension or bounty under the provisions of this act shall receive either pension or bounty for any other service in the present war.

SEC. 11. *And be it further enacted,* That the widows and heirs of all persons described in the last preceding section who have been or may be employed as aforesaid, or who have been or may be killed in battle, or of those who have died or shall die of wounds received while so employed, shall be paid the bounty and pension allowed by the provisions of this act, according to rank, as provided in the last preceding section.

Approved July 14, 1862.

[12 Stat. L., p. 598.]

[Extract from an act to amend the act calling forth the militia to execute the laws of the Union, suppress insurrection, and repel invasion, approved February 28, 1795, and the acts amendatory thereof, and for other purposes.]

SEC. 3. *And be it further enacted*, That the President be, and he is hereby, authorized, in addition to the volunteer forces which he is now authorized by law to raise, to accept the services of any number of volunteers, not exceeding one hundred thousand, as infantry, for a period of nine months, unless sooner discharged. And every soldier who shall enlist under the provisions of this section shall receive his first month's pay, and also twenty-five dollars as bounty, upon the mustering of his company or regiment into the service of the United States. And all provisions of law relating to volunteers enlisted in the service of the United States for three years, or during the war, except in relation to bounty, shall be, and the same are, extended to, and are hereby declared to embrace, the volunteers to be raised under the provisions of this section.

SEC. 4. *And be it further enacted*, That, for the purpose of filling up the regiments of infantry now in the United States service, the President be, and he hereby is, authorized to accept the services of volunteers in such numbers as may be presented for that purpose, for twelve months, if not sooner discharged. And such volunteers, when mustered into the service, shall be in all respects upon a footing with similar troops in the United States service, except as to service bounty, which shall be fifty dollars, one-half of which to be paid upon their joining their regiments, and the other half at the expiration of their enlistment.

Approved July 17, 1862.

[12 Stat. L., p. 734.]

[Extract from an act for enrolling and calling out the national forces, and for other purposes.]

SEC. 18. *And be it further enacted*, That such of the volunteers and militia now in the service of the United States as may reenlist to serve one year, unless sooner discharged, after the expiration of their present term of service, shall be entitled to a bounty of fifty dollars, one-half of which to be paid upon such reenlistment, and the balance at the expiration of the term of reenlistment; and such as may reenlist to serve for two years, unless sooner discharged, after the expiration of their present term of enlistment, shall receive, upon such reenlistment, twenty-five dollars of the one hundred dollars bounty for enlistment provided by the fifth section of the act approved twenty-second of July, eighteen hundred and sixty-one, entitled "An act to authorize the employment of volunteers to aid in enforcing the laws and protecting public property."

Approved March 3, 1863.

[12 Stat. L., p. 743.]

[Extract from An Act to promote the efficiency of the Corps of Engineers and of the Ordnance Department, and for other purposes.]

SEC. 7. *And be it further enacted*, That upon any requisition hereafter being made by the President of the United States for militia, any person who shall have volunteered or been drafted for the service of the United States for the term of nine months, or a shorter period, may enlist into a regiment from the same State to serve for the term of one year, and any person so enlisting shall be entitled to and receive a bounty of fifty dollars, to be paid in time and manner provided by the act of July twenty-second, eighteen hundred and sixty-one, for the payment of the bounty provided for by that act.

Approved, March 3, 1863.

[12 Stat. L., p. 758.]

AN ACT to amend an act entitled "An act to authorize the employment of volunteers to aid in enforcing the laws and protecting public property," approved July twenty-two, eighteen hundred and sixty-one.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That every noncommissioned officer, private, or other person who has been or shall hereafter be discharged from the Army of the United States, within two years from the date of their enlistment, by reason of wounds received in battle, shall be entitled to receive the same bounty as is granted or may be granted to the same classes of persons who are discharged after a service of two years; and all acts and parts of acts inconsistent with this are hereby repealed.

Approved March 3, 1863.

[13 Stat. L., page 11.]

[Extract from an act to amend an act entitled "An act for enrolling and calling out the national forces, and for other purposes," approved March, 3, 1863.]

SEC. 24. *And be it further enacted*, That all able-bodied male colored persons, between the ages of twenty and forty-five years, resident in the United States, shall be enrolled according to the provisions of this act, and of the act to which this is an amendment, and form part of the national forces; and when a slave of a loyal master shall be drafted and mustered into the service of the United States, his master shall have a certificate thereof, and thereupon such slave shall be free; and the bounty of one hundred dollars, now payable by law for each drafted man, shall be paid to the person to whom such drafted person was owing service or labor at the time of his muster into the service of the United States. The Secretary of War shall appoint a commission in each of the slave States represented in Congress, charged to award to each loyal person to whom a colored volunteer may owe service a just compensation, not exceeding three hundred dollars, for each such colored volunteer, payable out of the fund derived from commutations, and every such colored volunteer on being mustered into the service shall be free. And in all cases where men of color have been heretofore enlisted or have volunteered in the military service of the United States, all the provisions of this act, so far as the payment of bounty and compensation are provided, shall be equally applicable as to those who may be hereafter recruited. But men of color, drafted or enlisted, or who may volunteer into the military service, while they shall be credited on the quotas of the several States, or subdivisions of States, wherein they are respectively drafted, enlisted, or shall volunteer, shall not be assigned as State troops, but shall be mustered into regiments or companies as United States colored troops.

Approved February 24, 1864.

[13 Stat. L., p. 129.]

[Extract from an act making appropriations for the support of the Army for the year ending June 30, 1865, and for other purposes.]

SEC. 3. *And be it further enacted*, That all persons enlisted and mustered into service as volunteers under the call, dated October seventeen, eighteen hundred and sixty-three, for three hundred thousand volunteers, who were at the time of enlistment actually enrolled and subject to draft in the State in which they volunteered, shall receive from the United States the same amount of bounty without regard to color.

SEC. 4. *And be it further enacted*, That all persons of color who were free on the nineteenth day of April, eighteen hundred and sixty-one, and who have been enlisted and mustered into the military service of the United States, shall, from the time of their enlistment, be entitled to receive the pay, bounty, and clothing allowed to such persons by the laws existing at the time of their enlistment. And the Attorney-General of the United States is hereby authorized to determine any question of law arising under this provision. And if the Attorney-General aforesaid shall determine that any of such enlisted persons are entitled to receive any pay, bounty, or clothing, in addition to what they have already received, the Secretary of War shall make all necessary regulations to enable the Pay Department to make payment in accordance with such determination.

Approved June 15, 1864.

[13 Stat. L., p. 144.]

[Extract from an act to increase the pay of soldiers of the United States Army, and for other purposes.]

SEC. 3. *And be it further enacted*, That all noncommissioned officers and privates in the Regular Army, serving under enlistments made prior to July twenty-second, eighteen hundred and sixty-one, shall have the privilege of reenlisting for the term of three years in their respective organizations until the first day of August next; and all such noncommissioned officers and privates so reenlisting shall be entitled to the bounties mentioned in the joint resolution of Congress approved January thirteen, eighteen hundred and sixty-four.

Approved June 20, 1864.

[13 Stat. L., p. 400.]

JOINT RESOLUTION to continue the bounties heretofore paid.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the bounties heretofore paid, under regulations and orders from the War Department, to men enlisting in the regular or volunteer forces

of the United States for three years or during the war shall continue to be paid from the fifth day of January, eighteen hundred and sixty-four, until the first day of March next, anything in the *act* [joint resolution] approved December twenty-third, eighteen hundred and sixty-three, to the contrary notwithstanding. This resolution to be in force from and after its passage.

Approved January 13, 1864.

[13 Stat. L., p. 356.]

[Extract from an act to provide for the more speedy punishment of guerilla marauders, and for other purposes.]

SEC. 3. *And be it further enacted*, That when a soldier sick in hospital shall have been discharged or shall be discharged from the military service, but shall be unable to leave or to avail himself of his discharge, in consequence of sickness or of wounds, and shall subsequently die in such hospital, he shall be deemed to have died in the military service, so far as relates to bounties.

Approved July 2, 1864.

[13 Stat. L., p. 379.]

[Extract from an act further to regulate and provide for the enrolling and calling out the national forces, and for other purposes.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States may, at his discretion, at any time hereafter call for any number of men as volunteers for the respective terms of one, two, and three years for military service; and any such volunteer, or, in case of draft, as hereinafter provided, any substitute, shall be credited to the town, township, ward of a city, precinct, or election district, or of a county not so subdivided, towards the quota of which he may have volunteered or engaged as a substitute; and every volunteer who is accepted and mustered into the service for a term of one year, unless sooner discharged, shall receive and be paid by the United States a bounty of one hundred dollars; and if for a term of two years, unless sooner discharged, a bounty of two hundred dollars; and if for a term of three years, unless sooner discharged, a bounty of three hundred dollars, one-third of which bounty shall be paid to the soldier at the time of his being mustered into the service, one-third at the expiration of one-half of his term of service, and one-third at the expiration of his term of service; and in case of his death while in service the residue of his bounty unpaid shall be paid to his widow, if he shall have left a widow; if not, to his children, or if there be none, to his mother, if she be a widow.

Approved July 4, 1864.

[13 Stat. L., p. 487.]

[Extract from an act to amend the several acts heretofore passed to provide for the enrolling and calling out the national forces, and for other purposes.]

SEC. 3. *And be it further enacted*, That if a soldier, discharged for wounds received in battle, die before receiving the bounty provided by the act of March third, eighteen hundred and sixty-three, entitled "An act to amend an act to authorize the employment of volunteers, and so forth," the bounty due shall be paid to the following persons, and in the order following, and to no other person, to wit, first, to the widow of such deceased soldier, if there be one; second, if there be no widow, then to the children of such deceased soldier, share and share alike; third, if such soldier left neither a widow, or child or children, then and in that case such bounty shall be paid to the following persons, provided they be residents of the United States, to wit, first, to his father; or if he shall not be living, or has abandoned the support of his family, then to the mother of such soldier; and if there be neither father nor mother as aforesaid, then such bounty shall be paid to the brothers and sisters of the deceased soldier, resident as aforesaid.

SEC. 4. *And be it further enacted*, That every noncommissioned officer, private, or other person who has been, or shall hereafter be, discharged from the Army of the United States by reason of wounds received in battle, on skirmish, on picket, or in action, or in the line of duty, shall be entitled to receive the same bounty as if he had served out his full term; and all acts and parts of acts inconsistent with this are hereby repealed.

SEC. 11. *And be it further enacted*, That the bounty of one hundred dollars, provided by present laws to be paid to the heirs of volunteers killed in battle, shall be extended to the widow, if living, or, if she be dead, to the children of any volunteer who shall have been or may be killed in the service, whether he shall have enlisted for two years or for a less period of time.

Approved March 3, 185.

[13 Stat. L., p. 403.]

JOINT RESOLUTION to continue the payment of bounties.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the bounties authorized to be paid under existing laws, and by regulations and orders of the War Department, to veterans reënlisting, or persons enlisting in the regular or volunteer service of the United States for three years, or during the war, shall contin[ue] to be paid from the first day of March, eighteen hundred and sixty-four, to the first day of April, eighteen hundred and sixty-four, anything in any law or regulation to the contrary notwithstanding; the said bounties to be paid out of any moneys already appropriated for such purposes.

Approved March 3, 1864.

[14 Stat. L., p. 352.]

JOINT RESOLUTION giving construction to the law in relation to bounties payable to soldiers discharged for wounds.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the true intent and meaning of the words "or in the line of duty," used in the fourth section of the act approved March third, eighteen hundred and sixty-five, entitled "An act to amend the several acts heretofore passed to provide for the enrolling and calling out the national forces, and for other purposes," requires that the benefit of the provision of said section shall be extended to any enlisted man or other person entitled by law to bounty who has been or may be discharged by reason of a wound received while actually in service under military orders, not at the time on furlough or leave of absence, nor engaged in any unlawful or unauthorized act or pursuit.

Approved April 12, 1866.

[14 Stat. L., p. 357.]

A RESOLUTION respecting bounties to colored soldiers and the pensions, bounties, and allowances to their heirs.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the omission in the muster rolls of the words "free on or before April nineteen, eighteen hundred and sixty-one," shall not deprive any colored soldier of the bounty to which he is entitled, and which is now or may hereafter be withheld by reason of such omission; but where nothing appears on the muster roll or of record to show that a colored soldier was not a freeman at the date aforesaid, under the provision of the fourth section of the "Act making appropriations for the support of the Army for the year ending the thirtieth of June, eighteen hundred and sixty-five," the presumption shall be that the person was free at the time of his enlistment.

SEC. 2. *And be it further resolved,* That in determining who is or was the wife, widow, or heirs of any colored soldier evidence that he and the woman claimed to be his wife or widow were joined in marriage by some ceremony deemed by them obligatory, followed by their living together as husband and wife up to the time of enlistment, shall be deemed sufficient proof of such marriage for the purpose of securing any arrears of pay, pension, or other allowances due any colored soldier at the time of his death; and the children born of any such marriage shall be held and taken to be the lawful children and heirs of such soldier.

Approved June 15, 1866.

[14 Stat. L., p. 360.]

A RESOLUTION to provide for the payment of bounty to certain Indian regiments.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized and required to cause to be paid to the enlisted men of the first, second, and third Indian regiments the bounty of one hundred dollars, under the same regulations and restrictions as now determine the payment of bounty to other volunteers in the service of the United States.

Approved June 18, 1866.

[14 Stat. L., p. 363.]

JOINT RESOLUTION declaratory of the law of bounty.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That where any enlisted man has been or may be detailed for duty as a clerk or for any other duty in any executive bureau, at headquarters or elsewhere, he shall not by such detail be deprived of any rights to bounties now due or hereafter to become due, but shall be as fully entitled thereto as though no such detail had been made.

Approved July 13 1866.

[14 Stat. L., p. 367.]

JOINT RESOLUTION amendatory of a joint resolution entitled "A resolution respecting bounties to colored soldiers, and the pensions, bounties, and allowances to their heirs," approved June 15, 1866.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the words "at the time of his enlistment," at the end of section one of the "resolution respecting bounties to colored soldiers, and the pensions, bounties, and allowances to their heirs," approved June fifteen, eighteen hundred and sixty-six, be, and the same are hereby, stricken out.

SEC. 2. *And be it further resolved,* That whenever application shall be made by any claimant for bounty under the provisions of the joint resolution aforesaid, by or through any agent or attorney, such agent or attorney shall hereafter be required to file with each claim his oath or affirmation that he has no interest whatever in said bounty beyond the fees for collection of the same, which are hereby fixed and established as follows, viz: For the preparation and prosecution of claims for, and the collection and remittance of, all sums not exceeding fifty dollars, the sum of five dollars; for all sums exceeding fifty and less than one hundred dollars, the sum of seven dollars and fifty cents; and for all sums exceeding one hundred dollars, the sum of ten dollars; and said fees shall include all expenses incident to the collection of said claims, except the expense of the necessary affidavits and notarial or other acknowledgments, which shall be defrayed by the claimant; and any agent or attorney who shall charge, directly or indirectly, in any case, a greater sum for his services in preparing and prosecuting said claims and collecting and remitting the amount due, shall be deemed guilty of a misdemeanor, and shall, upon conviction, be punished by fine not exceeding three thousand nor less than one thousand dollars, and shall be forever excluded from prosecuting military or naval claims against the Government.

SEC. 3. *And be it further resolved,* That in case the payments shall be made in the form of a check, order, or draft upon any paymaster, national bank, or Government depository, it shall be necessary for the claimant to establish, by the affidavits of two credible witnesses, that he is the identical person named therein; but in no case shall such checks, orders, or drafts be made negotiable until after such identification.

SEC. 4. *And be it further resolved,* That it shall not be lawful for any soldier to transfer, assign, barter, or sell his discharge, for the purpose of transferring, assigning, bartering, or selling any interest in any bounty under the provisions of said resolution; and all such transfers, assignments, barters, or sales heretofore made are hereby declared null and void as to any rights intended so to be conveyed by any such soldier.

Approved July 26, 1866.

[14 Stat. L., p. 322.]

[Extract from an act making appropriations for sundry civil expenses of the Government for the year ending June 30, 1867, and for other purposes.]

SEC. 12. *And be it further enacted,* That each and every soldier who enlisted into the Army of the United States after the nineteenth day of April, eighteen hundred and sixty-one, for a period of not less than three years, and having served the time of his enlistment has been honorably discharged, and who has received or who is entitled to receive from the United States under existing laws, a bounty of one hundred dollars and no more, and any such soldier enlisted for not less than three years, who has been honorably discharged on account of wounds received in the line of duty, and the widow, minor children, or parents in the order named, of any such soldier who died in the service of the United States or of disease or wounds contracted while in the service, and in the line of duty, shall be paid the additional bounty of one hundred dollars hereby authorized.

SEC. 13. *And be it further enacted,* That each and every soldier who enlisted into the Army of the United States, after the fourteenth day of April, eighteen hundred

and sixty-one for a period of not less than two years and who is not included in the foregoing section, and has been honorably discharged after serving two years, and who has received or is entitled to receive from the United States, under existing laws, a bounty of one hundred dollars and no more, shall be paid an additional bounty of fifty dollars, and any such soldier enlisted for not less than two years who has been honorably discharged on account of wounds received in the line of duty, and the widow, minor children, or parents, in the order named, of any such soldier who died in the service of the United States, or of disease or wounds contracted while in the service, and in the line of duty, shall be paid the additional bounty of fifty dollars hereby authorized.

SEC. 14. *And be it further enacted*, That any soldier who shall have bartered, sold, assigned, transferred, loaned, exchanged, or given away his final discharge papers, or any interest in the bounty provided by this or any other act of Congress, shall not be entitled to receive any additional bounty whatever; and when application is made by any soldier for said bounty he shall be required, under the pains and penalties of perjury, to make oath or affirmation of his identity, and that he has not so bartered, sold, assigned, transferred, exchanged, loaned, or given away either his discharge papers or any interest in any bounty as aforesaid. And no claim for such bounty shall be entertained by the Paymaster-General or other accounting or disbursing officer except upon receipt of the claimant's discharge papers, accompanied by the statement under oath, as by this section provided.

SEC. 15. *And be it further enacted*, That in the payment of the additional bounty herein provided for it shall be the duty of the Paymaster-General, under such rules and regulations as may be prescribed by the Secretary of War, to cause to be examined the accounts of each and every soldier who makes application therefor, and if found entitled thereto shall pay said bounties.

SEC. 16. *And be it further enacted*, That in the reception, examination, settlement, and payment of claims for said additional bounty due the widows or heirs of deceased soldiers the accounting officers of the Treasury shall be governed by the restrictions prescribed for the Paymaster-General by the Secretary of War, and the payment shall be made in like manner under the direction of the Secretary of the Treasury.

Approved July 28, 1866.

[14 Stat. L., p 82.]

AN ACT for the relief of the members of the Thirty-seventh Regiment of Iowa Volunteer Infantry.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be paid to the members of the Thirty-seventh Regiment of Iowa Volunteer Infantry the same bounty provided by law, or which may hereafter be provided by law to soldiers enlisted into the volunteer forces of the United States during the year eighteen hundred and sixty-two; and in case any of the members of said regiment are dead or may die before the payment of said bounty, the same shall be paid to their representatives in the same order provided by law for the payment of bounty in other cases.

Approved July 3, 1866.

[15 Stat. L., p. —.]

AN ACT in relation to additional bounty.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That if any person or persons entitled to the bounty provided by sections twelve and thirteen of the act making appropriations for the civil service, approved July twenty-eighth, eighteen hundred and sixty-six, shall have died, or shall die, before receiving said bounty, it shall be paid to the heirs of the soldiers as designated in said act in the order therein named, and to none other.

Approved February 21, 1868.

[15 Stat. L., p. 256.]

A RESOLUTION placing certain troops of Missouri on an equal footing with others as to bounty.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the troops recognized in an act entitled "An act making appropriations for completing the defences of Washington, and for other purposes," approved February thirteenth, eighteen hundred and sixty-two, be, and are hereby, considered as placed on an equal footing with the volunteers as to bounties, and that all laws relating to bounties be applicable to them as to other volunteers.

Approved July 13, 1868.

[15 Stat. L., p. 334.]

AN ACT in relation to additional bounties, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That when a soldier's discharge states that he is discharged by reason of "expiration of term of service," he shall be held to have completed the term of his enlistment and entitled to bounty accordingly

SEC. 2. *And be it further enacted,* That the widow, minor children, or parents, in the order named, of any soldier who shall have died, after being honorably discharged from the military service of the United States, shall be entitled to receive the additional bounty to which such soldier would be entitled if living, under the provisions of the twelfth and thirteenth sections of an act entitled "An act making appropriations for sundry civil expenses of the Government for the year ending June thirtieth, eighteen hundred and sixty-seven, and for other purposes," approved July twenty-eighth, eighteen hundred and sixty-six, and the said provisions of said act shall be so construed.

SEC. 3. *And be it further enacted,* That all claims for the additional bounties granted in sections twelve and thirteen of the act of July twenty-eighth, eighteen hundred and sixty-six, shall, after the first of May next, be adjusted and settled by the accounting officers of the Treasury under the provisions of said act; and all such claims as may on the said first of May be remaining in the office of the Paymaster-General unsettled shall be transferred to the Second Auditor of the Treasury for settlement.

SEC. 4. *And be it further enacted,* That all claims for bounty under the provisions of the act cited in the foregoing section shall be void unless presented in due form prior to the first day of December, eighteen hundred and sixty-nine.

Approved March 3, 1869.

[16 Stat. L., p. 54.]

A RESOLUTION for the protection of soldiers and their heirs.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the accounting officers of the Treasury and Pay Department who are charged with the settlement and payment of bounties due to soldiers or their heirs be, and they are hereby, directed to pay or cause to be paid the sums found due to the said soldiers or their heirs in person, or by transmitting the amount to them direct in a draft or drafts, payable to his, her, or their order, or through the Freedmen's Bureau, or State agents appointed specially for that purpose, or governors of national asylums, or pension agent of the district where he, she, or they may reside, and not to any claim agent or upon any power of attorney, transfer, or assignment whatever.

SEC. 2. *And be it further resolved,* That any officer or clerk of any of the Executive Departments of the Government who shall be lawfully detailed to investigate frauds, or attempts to defraud, on the Government, or any irregularity or misconduct of any officer or agent of the United States, shall have power to administer oaths to affidavits taken in the course of any such investigation.

SEC. 3. *And be it further resolved,* That the fees allowed by law to attorneys or agents shall be reserved by the pay department or said pension agent, and paid to said agent or attorney when any such fees are due for services rendered in procuring such bounty or bounties, and not otherwise.

Approved April 10, 1869.

[16 Stat. L., p. 254.]

AN ACT to extend the time for presenting claims for additional bounties.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the time for presenting claims for additional bounties granted to soldiers by the twelfth and thirteenth sections of the act of July twenty-eighth, eighteen hundred and sixty-six, is hereby extended until the expiration of six months after the passage of this act, after which time all claims for such bounties not presented in due form shall be void; and the fourth section of the act approved March third, eighteen hundred and sixty-nine, entitled "An act in relation to additional bounties, and for other purposes," is hereby repealed.

Approved July 13, 1870.

[17 Stat. L., p. 54.]

AN ACT to extend the time for filing claims for additional bounty, under the act of July twenty-eighth, eighteen hundred and sixty-six.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the time for filing claims for additional bounty, under the act of July twenty-eighth, eighteen hundred and sixty-six, and which expired by limitation January thirteenth, eighteen hundred and seventy-one, be, and the same is hereby, revived and extended until the thirtieth day of January, eighteen hundred and seventy-three; and that all claims for such bounties filed in the proper department after the thirteenth day of January, eighteen hundred and seventy-one, and before the passage of this act, shall be deemed to have been filed in due time, and shall be considered and decided without filing.

Approved April 22, 1872.

[17 Stat. L., p. 55.]

AN ACT in relation to bounties.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That every volunteer, noncommissioned officer, private, musician, and artificer who enlisted into the military service of the United States prior to July twenty-second, eighteen hundred and sixty-one, under the proclamation of the President of the United States of May third, eighteen hundred and sixty-one, and the orders of the War Department issued in pursuance thereof, and was actually mustered before August sixth, eighteen hundred and sixty-one, into any regiment, company, or battery which was accepted by the War Department under such proclamation and orders, shall be paid the full bounty of one hundred dollars, under and by virtue of the said proclamation and orders of the War Department, in force at the time of such enlistment and prior to July twenty-second, eighteen hundred and sixty-one: *Provided,* That the same has not already been paid.

Approved April 22, 1872.

[17 Stat. L., p. 301.]

AN ACT to place colored persons who enlisted in the Army on the same footing as other soldiers as to bounty and pension.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all colored persons who enlisted in the Army during the late war, and who are now prohibited from receiving bounty and pension on account of being borne on the rolls of their regiments as "slaves," shall be placed on the same footing, as to bounty and pension, as though they had not been slaves at the date of their enlistment.

Approved March 3, 1873.

[18 Stat. L., p. 79.]

AN ACT to extend the time for filing claims for additional bounty under the act of July twenty-eighth, eighteen hundred and sixty-six.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the time for filing claims for additional bounty under the act of July twenty-eighth, eighteen hundred and sixty-six, and which expired by limitation on the thirtieth day of January, eighteen hundred and seventy-four, be, and the same is hereby, revived and extended until the thirtieth day of January, eighteen hundred and seventy-five; and that all claims for such bounties filed in the proper department after the thirtieth day of January, eighteen hundred and seventy-four, and before the passage of this act, shall be deemed to have been filed in due time, and shall be considered and decided without refiling.

Approved June 18, 1874.

[19 Stat. L., p. 74.]

AN ACT to extend the time for filing claims for additional bounty under the act of July twenty-eighth, eighteen hundred and sixty-six, which expired, by limitation, on January thirtieth, eighteen hundred and seventy-five, until July first, eighteen hundred and eighty.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the time for filing claims for additional bounty under the act of July twenty-eighth, eighteen hundred and sixty-six, and which expired by

limitation on the thirtieth day of January, eighteen hundred and seventy-five, be, and the same is hereby, revived and extended until the first day of July, eighteen hundred and eighty; and that all claims for such bounty filed in the proper department after the thirtieth day of January, eighteen hundred and seventy-five, and before the passage of this act, shall be, and the same are hereby, declared to have been filed in due time, and shall be considered and decided without refileing.

Approved, July 5, 1876.

[21 Stat. L., p. 283.]

AN ACT for the relief of the Fifteenth and Sixteenth Missouri Cavalry Volunteers.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the proper accounting officers of the Treasury be, and they hereby are, directed to pay bounty to the enlisted men of the Fifteenth and Sixteenth Missouri Cavalry Volunteers who served during the late rebellion, as follows, to wit:

To those who served the full period of one year, or more, the sum of one hundred dollars; to those who served the full period of six months, but less than one year, the sum of sixty-six dollars and sixty-six cents; to those who served a less period than six months, the sum of thirty-three dollars and thirty-three cents.

SEC. 2. That in case of the death of the soldier, who if living would be entitled under the first section of this act, then the said sum or sums that would be due to said soldier if living shall be paid to his widow; and if there be no widow, then to his child or children; and if there be none, then to his mother if she be a widow. And so much money as may be necessary to carry this law into effect is hereby appropriated out of any money in the Treasury not otherwise appropriated.

Approved June 16, 1880.

[25 Stat. L., p. 338.]

AN ACT for the relief of certain volunteer soldiers.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the act entitled "An act in relation to bounties," approved April twenty-second, eighteen hundred and seventy-two, be amended by striking out the words "before August sixth, eighteen hundred and sixty-one;" and said act, as hereby amended, shall have full force and effect from April twenty-second, eighteen hundred and seventy-two.

SEC. 2. That the proper accounting officers of the Treasury be, and they are hereby, authorized and directed to reconsider the claims of all soldiers and their heirs who may have been denied the bounty of one hundred dollars granted by the act of April twenty-second, eighteen hundred and seventy-two, under any construction of said act which has since been modified or rescinded, and such claims shall, if found correct and just, be allowed and paid, provided the soldiers were enrolled or enlisted for three years prior to July twenty-second, eighteen hundred and sixty-one, under the proclamation of the President of the United States of May third, eighteen hundred and sixty-one, and the orders of the War Department issued in pursuance thereof, and were actually mustered into the service of the United States and honorably discharged.

Approved July 20, 1888.

NOTE.—The records of the Adjutant-General's Office show that the number of men who enlisted in the Army for the periods indicated were as follows:

For one year.....	391, 752
For two years.....	44, 400
For three years.....	2, 030, 804

In addition to the above number of men who enlisted for one, two, and three years, men were enlisted for shorter periods, as follows:

For nine months.....	87, 588
For eight months.....	373
For six months.....	20, 439
For four months.....	42
For one hundred days.....	85, 507
For three months.....	108, 416
For sixty days.....	2, 045

Statement of the average amount of State and local bounties paid in loyal States during the period embraced between April, 1864, and the close of the war (exclusive of States on the Pacific Slope).

States.	Date of call.	Average amount.	States.	Date of call.	Average amount.
	1864.			1864.	
Pennsylvania	Mar. 14	\$300	Maryland	Mar. 14	\$571
	July 18	400		July 18	578
	Dec. 19	484		Dec. 19	227
New York	Mar. 14	300	Massachusetts	Mar. 14	492
	July 18	575		July 18	433
	Dec. 19	600		Dec. 19	414
New Jersey	Mar. 14	525	Michigan	Mar. 14	250
	July 18	600		July 18	300
	Dec. 19	625		Dec. 19	375
Connecticut	Mar. 14	260	Minnesota	Mar. 14	100
	July 18	390		July 18	275
	Dec. 19	(*)		Dec. 19	275
Delaware	Mar. 14	71	Missouri	Mar. 14	139
	July 18	380		July 18	191
	Dec. 19	280		Dec. 19	(*)
Illinois	Mar. 14	110	New Hampshire	Mar. 14	349
	July 18	175		July 18	766
	Dec. 19	350		Dec. 19	627
Indiana	Mar. 14	296	Rhode Island †		
	July 18	320	Vermont	Mar. 14	275
	Dec. 19	370		July 18	703
Iowa	Mar. 14	180		Dec. 19	590
	July 18	474	West Virginia	Mar. 14	226
	Dec. 19	876		July 18	306
Kansas	Mar. 14	(*)		Dec. 19	460
	July 18	(*)	Wisconsin	Mar. 14	625
	Dec. 19	203		July 18	625
Kentucky	Mar. 14	(*)		Dec. 19	625
	July 18	157	Ohio	Mar. 14	75
	Dec. 19	135		July 18	195
Maine	Mar. 14	298		Dec. 19	450
	July 18	488	Tennessee †		
	Dec. 16	493			

* Not reported. † No report made. ‡ None reported. No bounty paid so far as known.

NOTE.—By the act of March 3, 1869 (Stat. L., p. 334), settlement of all bounty claims was transferred to the Second Auditor.

The exact amount of bounties paid to soldiers during the late war is not known, and could only be determined by the examination of several hundred thousand vouchers.

NOTE.—On January 31, 1884, the Paymaster-General of the Army estimated the aggregate amount paid for bounties up to date to be \$388,210,246.77.

The amount paid out for bounty, as per report of the Second Auditor, from July 1, 1862, to March 31, 1894, is \$129,904,300.29.

MILITARY BOUNTIES AS CONSTRUED BY THE SUPREME COURT AND COURT OF CLAIMS.

One who entered the military service under the proclamation of May 3, 1861, and after serving for one year was discharged for disability is entitled to the bounty of \$100 thereby promised, notwithstanding the provisions of the act of July 22, 1861. (*Hosmer v. The United States*, 9 Wallace, p. 432.)

Where a soldier, under extenuating circumstances, and after hostilities had ceased, was absent without leave, but, on his voluntary return to the service, was, by order of the general commanding the department, on the recommendation of his regimental commander, "restored to duty without trial, with the condition that he make good the time lost by desertion," it was held that having done so, and being then honorably discharged, his bounty was not forfeited. (*United States v. Kelly*, 15 Wallace, p. 34.)

The Court of Claims held, in the case of the State of New Hampshire (20 C. Cls. R., p. 394), that at no time and in no manner could a military deserter claim future installments of bounty.

Bounty and pension.—The bounty given by the act July 28, 1866 (14 Stat. L., p. 322, sec. 12), to soldiers who served during the rebellion was not a part of the contract, but a gratuity, which might be taken away at the will of Congress. If a claim therefor was not presented in the form and within the time prescribed by the act March 3, 1869 (15 Stat. L., p. 334, sec. 4), and certain other acts extending the time, it became void. (*Bowman's Case*, 10 C. Cls. R., p. 408.)

[13 Stat. L., p. 736.]

No. 10.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas the term of service of a part of the volunteer forces of the United States will expire during the coming year; and whereas, in addition to the men raised by the present draft, it is deemed expedient to call out three hundred thousand volunteers to serve for three years or the war, not however exceeding three years:

Now, therefore, I, Abraham Lincoln, President of the United States and commander in chief of the Army and Navy thereof, and of the militia of the several States when called into actual service, do issue this my proclamation, calling upon the governors of the different States to raise and have enlisted into the United States service, for the various companies and regiments in the field from their respective States, their quotas of three hundred thousand men.

I further proclaim that all volunteers thus called out and duly enlisted shall receive advance pay, premium, and bounty, as heretofore communicated to the governors of States by the War Department, through the Provost-Marshal-General's office, by special letters.

I further proclaim that all volunteers received under this call, as well as all others not heretofore credited, shall be duly credited on, and deducted from, the quotas established for the next draft.

I further proclaim that if any State shall fail to raise the quota assigned to it by the War Department under this call, then a draft for the deficiency in said quota shall be made on said State, or on the districts of said State, for their due proportion of said quota; and the said draft shall commence on the fifth day of January, 1864.

And I further proclaim that nothing in this proclamation shall interfere with existing orders, or those which may be issued for the present draft in the States where it is now in progress, or where it has not yet commenced.

The quotas of the States and districts will be assigned by the War Department, through the provost-marshal-general's office, due regard being had for the men heretofore furnished, whether by volunteering or drafting, and the recruiting will be conducted in accordance with such instructions as have been or may be issued by that Department.

In issuing this proclamation I address myself not only to the governors of the several States, but also to the good and loyal people thereof, invoking them to lend their willing, cheerful, and effective aid to the measure thus adopted, with a view to reinforce our victorious armies now in the field and bring our needful military operations to a prosperous end, thus closing forever the fountains of sedition and civil war.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the city of Washington this seventeenth day of October, in the year of our Lord one thousand eight hundred and sixty-three, and of the Independence of the United States the eighty-eighth.

[L. s.]

ABRAHAM LINCOLN.

By the President:

WILLIAM H. SEWARD, *Secretary of State*.

NOTE.—The following general order and circulars contain the provisions relative to pay, premium, and bounty referred to in the proclamation:

GENERAL ORDERS, }
No. 191. }

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, June 25, 1863.

FOR RECRUITING VETERAN VOLUNTEERS.

In order to increase the armies now in the field, volunteer infantry, cavalry, and artillery may be enlisted, at any time within ninety days from this date, in the respective States, under the regulations hereinafter mentioned. The volunteers so enlisted, and such of the three years' troops now in the field, as may reenlist in accordance with the provisions of this order, will constitute a force to be designated "Veteran Volunteers." The regulations for enlisting this force are as follows:

I. The period of service for the enlistments and reenlistments above mentioned shall be for three years, or during the war.

II. All able-bodied men between the ages of eighteen and forty-five years, who have heretofore been enlisted, and have served for not less than nine months, and can pass the examination required by the mustering regulations of the United

States, may be enlisted under this order as veteran volunteers, in accordance with the provisions hereinafter set forth.

III. Every volunteer enlisted and mustered into service as a veteran under this order shall be entitled to receive from the United States one month's pay in advance, and a bounty and premium of \$402, to be paid as follows:

1. Upon being mustered into service, he shall be paid one month's pay in advance.....	\$13.00
First installment of bounty	25.00
Premium.....	2.00
Total payment on muster	40.00
2. At the first regular pay day, or two months after muster-in, an additional installment of bounty will be paid.....	50.00
3. At the first regular pay day after six months' service, he shall be paid an additional installment of bounty	50.00
4. At the first regular pay day after the end of the first year's service an additional installment of bounty will be paid.....	50.00
5. At the first regular pay day after eighteen months' service, an additional installment of bounty will be paid.....	50.00
6. At the first regular pay day after two years' service, an additional installment of bounty will be paid.....	50.00
7. At the first regular pay day after two and a half years' service, an additional installment of bounty will be paid.....	50.00
8. At the expiration of three years' service, the remainder of the bounty will be paid.....	75.00

IV. If the Government shall not require these troops for the full period of three years, and they shall be mustered honorably out of service before the expiration of their term of enlistment, they shall receive, upon being mustered out, the whole amount of bounty remaining unpaid, the same as if the full term had been served. The legal heirs of volunteers who die in service shall be entitled to receive the whole bounty remaining unpaid at the time of the soldier's death.

V. Veteran volunteers enlisted under this order will be permitted at their option to enter old regiments now in the field; but their service will continue for the full term of their own enlistment, notwithstanding the expiration of the term: for which the regiment was originally enlisted. New organizations will be officered only by persons who have been in service, and have shown themselves properly qualified for command. As a badge of honorable distinction, "serving chevrons" will be furnished by the War Department, to be worn by the veteran volunteers.

VI. Officers of regiments whose terms have expired will be authorized, on proper application, and approval of their respective governors, to raise companies and regiments within the period of sixty days; and if the company or regiment authorized to be raised shall be filled up and mustered into service within the said period of sixty days, the officers may be recommissioned of the date of their original commissions, and for the time engaged in recruiting they will be entitled to receive the pay belonging to their rank.

VII. Volunteers or militia, now in service, whose term of service will expire within ninety days, and who shall then have been in service at least nine months, shall be entitled to the aforesaid bounty and premium of \$402, provided they reenlist before the expiration of their present term, for three years or the war; and said bounty and premium shall be paid in the manner herein provided for other troops reentering the service. The new term will commence from date of reenlistment.

VIII. After the expiration of ninety days from this date, volunteers serving in three years' organizations who may reenlist for three years or the war, shall be entitled to the aforesaid bounty and premium of \$402, to be paid in the manner herein provided for other troops reentering the service. The new term will commence from date of reenlistment.

IX. Officers in service whose regiments or companies may reenlist, in accordance with the provisions of this order, before the expiration of their present term, shall have their commissions continued, so as to preserve their date of rank as fixed by their original muster into United States service.

X. As soon after the expiration of their original term of enlistment as the exigencies of the service will permit, a furlough of thirty days will be granted to men who may reenlist in accordance with the provisions of this order.

XI. Volunteers enlisted under this order will be credited as three years' men in the quotas of their respective States. Instructions for the appointment of recruiting officers and for enlisting veteran volunteers will be immediately issued to the governors of States.

By order of the Secretary of War:

E. D. TOWNSEND,
Assistant Adjutant-General.

WAR DEPARTMENT, PROVOST-MARSHAL-GENERAL'S OFFICE,
Circular No. 98.] *Washington, D. C., November 3, 1863.*

The following regulations are established, with the approval of the Secretary of War, and will govern mustering and disbursing officers in their payments of the advance bounty, premium, and advance pay to recruits (not veterans) enlisted by recruiting officers, to serve for three years or the war, in old regiments now organized, whose terms of service expire in 1864 and 1865:

I. To all recruits enlisting as above required, there will be paid one month's pay in advance, and, in addition, a bounty and premium amounting to \$302, as follows, viz:

On being mustered into the United States service, under this authority, and before leaving the recruiting station or depot to join his company or regiment, the recruit shall receive one month's advance pay	\$13.00
First installment of bounty	60.00
Premium	2.00
Total pay before joining his regiment	75.00
At the first regular pay day, or two months after muster in, an additional installment of bounty will be paid	40.00
At the first regular pay day after six months' service, an additional installment of bounty will be paid	40.00
At the first regular pay day after the end of the first year's service, an additional installment of bounty will be paid	40.00
At the first regular pay day after eighteen months' service, an additional installment of bounty will be paid	40.00
At the first regular pay day after two years' service, an additional installment of bounty will be paid	40.00
At the expiration of three years' service, or to any soldier enlisting under this authority who may be honorably discharged after two years' service, the remainder of the bounty will be paid	40.00

II. If the Government shall not require these troops for the full period of three years, and they shall be mustered honorably out of the service before the expiration of their terms of enlistment, they shall receive on being mustered out the whole amount of bounty remaining unpaid the same as if the full term had been served.

III. The legal heirs of soldiers who die in service shall be entitled to receive the whole bounty remaining unpaid at the time of the soldier's death.

IV. "Veteran volunteers" will receive the one month's advance pay, bounty, and premium, as authorized in General Orders, Nos. 191 and 324, current series, and Circular, No. 97, of October 26, 1863, from this office.

JAMES B. FRY,
Provost-Marshal-General.

[Circular letter.]

WAR DEPARTMENT, PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., ———, 1863.

To ———,
Provost-Marshal, ——— District of ———.

The following regulations are established, with the approval of the Secretary of War, for your district, and will govern in the matter of apprehension of deserters and in the enlistment of recruits to fill old regiments:

I. To persons deputized by the Provost-Marshal-General to arrest deserters and procure recruits, who shall deliver to you a deserter from the Army of the United States, including deserters from the late draft (see section 13, enrollment act), the sum of \$30 shall be paid, said payment to be made in accordance with the rules now governing the payment of reward for deserters. No expenses of apprehension or delivery of deserters will be allowed.

II. The moneys received from drafted persons as an exemption from service, under the thirteenth section of this act, shall constitute a substitute fund for the payment of premiums and bounties to recruits procured as herein specified.

III. Persons deputized as aforesaid to arrest deserters and procure recruits presenting to your board a man acceptable as a recruit, according to the present rulings of acceptability as applied by this Bureau, shall receive premiums as follows, to wit:

For an accepted recruit who may be shown to the board to have served at least nine months as a soldier, and been honorably discharged (for other cause than disability), a premium of \$25.

For an accepted recruit without the military qualifications above specified, a premium of \$5.

The premiums herein provided will be paid to the person who shall have presented the accepted recruit as soon as said recruit shall have been delivered at the general rendezvous at ———. The payment of the premium will be made by ———, in the ———, whenever the person who furnished the recruit shall present to him a certificate from your board that the recruits named and for whom he claims premiums were accepted and regularly enlisted, and a certificate from the commanding officer at the general rendezvous at ——— that the said recruits have actually been received at his rendezvous.

You are authorized and required, notwithstanding anything else herein contained, to decline all business, in the matter of recruits, with any person or persons who may at any time practice, or attempt to practice, fraud or imposition, either upon the Government or the person presented as a recruit, or who shall extort, claim, or receive any other fee, perquisite, or compensation from the Government or the recruit than the premium herein authorized and provided, and such persons shall forfeit their appointments and all right to any premium or payment, and be reported to the provost-marshal-general, to be dealt with summarily by a military commission.

You are required to facilitate the procurement of recruits in the manner herein prescribed, by early examination of them, prompt preparation of certificates upon which the payment of premiums depend, and by everything else properly devolving on you calculated to assist the persons presenting recruits in securing their premiums without unnecessary delay.

You will immediately nominate, through the acting assistant provost-marshal-general of the State, one or more persons whom you deem best suited for recruiting agents for your district, that they may be deputized for that purpose.

IV. Bounties, etc., as follows will be paid to all persons who may be accepted by your board as recruits in accordance with this order, to wit:

To every recruit who is a veteran volunteer, as defined in General Orders, No. 191, of June 25, 1863, for recruiting veteran volunteers, one month's pay in advance, and a bounty and premium amounting to \$402 shall be paid, as follows:

1. At the general rendezvous, and before leaving the same to join his regiment or company, the veteran volunteer recruit will be paid one month's pay in advance.....	\$13.00
First installment of bounty	60.00
Premium	2.00

Total pay before leaving general rendezvous..... 75.00

(This will be paid in cash, or checks for transmittal, in whole or part, as the man may desire.)

2. At the first regular pay day, or two months after muster-in, an additional installment of bounty will be paid.....	\$50.00
Making pay and bounty then received.....	76.00
3. At the first regular pay day after six months' service he shall, in addition to his pay, be paid an additional installment of bounty	50.00
4. At the first regular pay day after the end of the first year's service, in addition to his pay, an additional installment of bounty will be paid ..	50.00
5. At the first regular pay day after eighteen months' service, in addition to his pay, an additional installment of bounty will be paid.....	50.00
6. At the first regular pay day after two years' service, in addition to his pay an additional installment of bounty will be paid	50.00
7. At the first regular pay day after two and a-half years' service, in addition to his pay, an additional installment of bounty will be paid	50.00
8. At the expiration of three years' service, or to any soldier who may be honorably discharged after two years' service, the remainder of the bounty will be paid.....	40.00

To all other recruits, not veterans, accepted and enlisted as herein required, one month's pay in advance, and in addition a bounty and premium amounting to \$302 shall be paid as follows:

1. At the general rendezvous, and before leaving the same to join his regiment or company, the recruit accepted under this authority will be paid one month's pay in advance	\$13.00
First installment of bounty	60.00
Premium	2.00

Total pay before leaving general rendezvous..... 75.00

(To be paid in cash or checks for transmittal, in whole or in part, as the recruit may desire.)

2. At the first regular pay day, or two months after muster-in, an additional installment of bounty will be paid.....	\$40.00
Making pay and bounty then received.....	66.00
3. At the first regular pay day after six months' service, in addition to his pay, he shall be paid an additional installment of bounty.....	40.00
4. At the first regular pay day after the end of the first year's service, in addition to his pay, an additional installment of bounty will be paid..	40.00
5. At the first regular pay day after eighteen months' service, in addition to his pay, an additional installment of bounty will be paid.....	40.00
6. At the first regular pay day after two years' service, in addition to his pay, an additional installment of bounty will be paid.....	40.00
7. At the expiration of three years' service, or to any soldier who may be honorably discharged after two years' service, the remainder of the bounty will be paid.....	40.00

If the Government shall not require these troops for the full period of three years, and they shall be mustered honorably out of service before the expiration of their term of enlistment, they shall receive, upon being mustered out, the whole amount of bounty remaining unpaid, the same as if the full term had been served. The legal heirs of recruits who die in service shall be entitled to receive the whole bounty remaining unpaid at the time of the soldier's death.

RÉSUMÉ.

Rewards and premiums to be paid for arrest of deserters and procuration of recruits.

For arrest and delivery of a deserter.....	\$30.00
For an accepted recruit (veteran)	25.00
For an accepted recruit (not veteran)	15.00
Total amounts to be paid in cash to recruits as pay, bounty, and premium before leaving general rendezvous	\$75.00

If continued in service for three years, the pay and bounty received will be at the following rates:

For veteran volunteers, per month	\$24.00
For other soldiers, not veterans, per month	21.30

If discharged at the end of two years, the pay and bounty received will be at the following rates:

For veteran volunteers, per month.....	\$29.70
For other soldiers, not veterans, per month	25.50

If honorably mustered out in less than two years as not being required, the monthly rate of compensation will become increased as the term of service is diminished.

In addition to this, he is furnished with his provisions, clothing, and medical attendance, and is paid in cash for such part of his allowance of clothing as he does not draw.

V. Men enlisted under this order will be permitted to select their regiments, which, however, must be old regiments in the field.

JAMES B. FRY,
Procost-Marshal-General.